IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NOTICE OF MOTION NO.44 OF 2007
IN INSOLVENCY
PETITION NO.136 OF 2004

Re.Nirav & Co. & Anr.
...Insolvents

Ex-parte :-
Viren S. Mehta ...Petitioning Creditor

Mr.Kishore Jain i/b Mr.Tushar Goradia for insolvents
Mr.Y.C.Parikh, Official Assignee present.

CORAM: A.S.OKA,J.
DATE : AUGUST 7,2007

P.C.:

1. Heard the learned Counsel for the insolvent and the Official Assignee. The Notice of Motion has been taken out by the insolvent for annulment of the order of adjudication dated 1st February 2005 and for other consequential reliefs by invoking the provision of section 21(1) of the Presidency Towns Insolvency Act,1909.

2. I have perused the affidavit in support. The learned Counsel for the insolvent states that all creditors have been duly paid and even the commission of the Official Assignee has already been paid. The Official Assignee confirms the correctness of the aforesaid statements and states that he has no objection if order of annulment is passed.

3. In view of the aforesaid factual aspects, notice of motion deserves to be allowed and is accordingly made absolute in terms of prayer clauses (a) and (b). Certified copy is expedited.

JUDGE